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Clerk, US District Court
Western District NC

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CASE No. 3:11-cv-000230-RJC-DCK

U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

vs.

KEITH F. SIMMONS, et al.,

Defendants.

COATS' RESPONSE TO PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT

Defendant BRYAN COATS responds to the plaintiff's Motion For Summary Judgment, and states:

1. Defendant COATS opposes entry of judgment for any penalty or fine, stating that such is not an appropriate use of the civil penalty provisions of law, given that COATS has been subjected to a lengthy prison term and a criminal restitution judgment, both of which adequately serve the purpose of a deterrent.


2. Defendant COATS also opposes a blanket injunction against COATS' trading on the exchanges (or trading in securities) on his own account only. The conduct of which COATS is guilty does involve a subversion of or attack upon the exchanges themselves. An injunction against COATS' use of the exchanges for his own account is not warranted under law or regulation, particularly under the facts of this case, and would leave COATS in a position of not being able to manage his securities and equities currently held.

WHEREFORE, for the reasons stated above, COATS opposes the

imposition of further penalties against him or the entry of any injunction against his trading on his own account only.

SUBMITTED this April 11, 2017.

I HEREBY DECLARE, under penalty of perjury, that I have deposited the original of the foregoing (under the Prison Mailbox Rule) into the Institution's special/legal mail system, postage affixed and addressed to the Clerk of the Court, and a copy to James H. Holl, III, Esq., 1155 21st St. N.W., Washington DC 20581, counsel for the CFTC, this April 11, 2017.


Bryan Coats, Reg. No. 26822-058
FPC Montgomery
Federal Prison Camp
Maxwell Air Force Base
Montgomery AL 36112